

# House File 2651 - Reprinted

HOUSE FILE \_\_\_\_\_  
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO HSB 648)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to policies for the administration of highways  
2 and the regulation of motor vehicles and to deposits made by a  
3 county to the secondary road fund, physical ability tests  
4 required for fire fighter applicants, and certain obligations  
5 guaranteed by highway funds including matters concerning the  
6 bid threshold for emergency highway repairs, providing for new  
7 collegiate motor vehicle registration plates and providing  
8 fees, the fee for replacement of special dealer registration  
9 plates, antique motor vehicle registration fees, used motor  
10 vehicle dealer education requirements, disqualification from  
11 operating a commercial motor vehicle, penalties for speeding  
12 violations committed in road work zones, access to persons  
13 with disabilities parking spaces for certain disabled  
14 veterans, and permits and fees for the movement of certain  
15 oversize or overweight vehicles, drinking driver courses  
16 offered at state correctional facilities, establishment of  
17 benefited secondary road services districts, and the  
18 defeasance of petroleum underground storage tank fund bonds,  
19 and providing an effective date.  
20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
21 HF 2651  
22 dea/jg/25

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1 1 Section 1. Section 313.10, subsection 3, Code 2007, is  
1 2 amended to read as follows:  
1 3 3. The necessary work can be done for less than ~~five~~  
1 4 ~~hundred thousand~~ one million dollars.  
1 5 Sec. 2. Section 321.34, subsection 7, paragraph a, Code  
1 6 Supplement 2007, is amended to read as follows:  
1 7 a. Upon application and payment of the proper fees, the  
1 8 director may issue to the owner of a motor vehicle subject to  
1 9 registration under section 321.109, subsection 1, motor truck,  
1 10 motor home, multipurpose vehicle, trailer over two thousand  
1 11 pounds, or travel trailer registered in this state, collegiate  
1 12 registration plates created pursuant to this subsection. Upon  
1 13 receipt of the collegiate registration plates, the applicant  
1 14 shall surrender the regular registration plates to the county  
1 15 treasurer.  
1 16 Sec. 3. Section 321.34, Code Supplement 2007, is amended  
1 17 by adding the following new subsection:  
1 18 NEW SUBSECTION. 7A. COLLEGIATE PLATES == PRIVATE  
1 19 FOUR-YEAR COLLEGES AND UNIVERSITIES.  
1 20 a. Upon application by a private four-year college or  
1 21 university located in this state and payment of the initial  
1 22 set-up costs for establishing the collegiate plate, the  
1 23 department, in consultation with the college or university,  
1 24 may design a special collegiate registration plate displaying  
1 25 the colors associated with the college or university.  
1 26 b. Upon application and payment of the proper fees, the  
1 27 director may issue to the owner of a motor vehicle subject to  
1 28 registration under section 321.109, subsection 1, motor truck,  
1 29 motor home, multipurpose vehicle, trailer over two thousand  
1 30 pounds, or travel trailer registered in this state, collegiate  
1 31 registration plates created pursuant to this subsection. The  
1 32 fee for the issuance of collegiate registration plates is  
1 33 twenty-five dollars, which fee is in addition to the regular  
1 34 annual registration fee for the vehicle. An applicant may  
1 35 obtain a personalized collegiate registration plate upon  
2 1 payment of the additional fee for a personalized plate as

2 2 provided in subsection 5 in addition to the collegiate plate  
2 3 fee and the regular registration fee. The county treasurer  
2 4 shall validate collegiate registration plates issued under  
2 5 this subsection in the same manner as regular registration  
2 6 plates, upon payment of five dollars in addition to the  
2 7 regular annual registration fee. Upon receipt of the  
2 8 collegiate registration plates, the applicant shall surrender  
2 9 the regular registration plates to the county treasurer.

2 10 c. A personalized collegiate registration plate shall not  
2 11 be issued if its combination of alphanumeric characters are  
2 12 identical to those contained on a current personalized  
2 13 registration plate issued under subsection 5. However, the  
2 14 owner of a motor vehicle who has a personalized registration  
2 15 plate issued for the motor vehicle may, after proper  
2 16 application and payment of fees, be issued a collegiate  
2 17 registration plate containing the same alphanumeric characters  
2 18 as those on the personalized plate. Upon receipt of the  
2 19 collegiate registration plates, the owner shall surrender the  
2 20 personalized registration plates to the county treasurer.

2 21 Sec. 4. Section 321.42, subsection 1, Code 2007, is  
2 22 amended to read as follows:

2 23 1. If a registration card, plate, or pair of plates is  
2 24 lost or becomes illegible, the owner shall immediately apply  
2 25 for replacement. The fee for a replacement registration card  
2 26 ~~shall be~~ is three dollars. The fee for a replacement plate or  
2 27 pair of plates ~~shall be other than a replacement of a special~~  
2 28 ~~plate issued pursuant to section 321.60 is~~ is five dollars. ~~The~~  
2 29 ~~fee for replacement of a special plate issued pursuant to~~  
2 30 ~~section 321.60 is~~ forty dollars. When the owner has furnished  
2 31 information required by the department and paid the proper  
2 32 fee, a duplicate, substitute, or new registration card, plate,  
2 33 or pair of plates may be issued. The county treasurer or the  
2 34 department may waive the fee for a replacement plate if the  
2 35 plate is lost during a documented accident.

3 1 Sec. 5. Section 321.166, subsection 5, Code 2007, is  
3 2 amended to read as follows:

3 3 5. There shall be a marked contrast between the color of  
3 4 the registration plates and the data which is required to be  
3 5 displayed on the registration plates. When a new series of  
3 6 registration plates is issued to replace a current series, the  
3 7 new registration plates shall be of a distinctively different  
3 8 color from the series which is replaced, except for collegiate  
3 9 registration plates issued under section 321.34, subsection 7  
3 10 or 7A.

3 11 Sec. 6. Section 321.208, Code 2007, is amended by adding  
3 12 the following new subsection:

3 13 NEW SUBSECTION. 2A. A person is disqualified from  
3 14 operating a commercial motor vehicle for one year if the  
3 15 person fails a test administered to determine whether the  
3 16 person was operating while intoxicated in any state or foreign  
3 17 jurisdiction and the person was operating a commercial motor  
3 18 vehicle or a noncommercial motor vehicle and holding a  
3 19 commercial driver's license. For purposes of this subsection,  
3 20 "fails a test" means the test result showed that the person  
3 21 had an alcohol concentration, as defined in section 321J.1, of  
3 22 .08 or more.

3 23 Sec. 7. Section 321.208, subsections 3 and 4, Code 2007,  
3 24 are amended to read as follows:

3 25 3. A person is disqualified from operating a commercial  
3 26 motor vehicle for three years if an act or offense described  
3 27 in subsection 1, 2, or ~~2A~~ occurred while the person was  
3 28 operating a commercial motor vehicle transporting hazardous  
3 29 material of a type or quantity requiring vehicle placarding.

3 30 4. A person is disqualified from operating a commercial  
3 31 motor vehicle for life if convicted or found to have committed  
3 32 two or more of the acts or offenses described in subsection 1,  
3 33 2, or ~~2A~~ arising out of two or more separate incidents.

3 34 However, a disqualification for life is subject to a reduction  
3 35 to a ten-year disqualification as provided in 49 C.F.R. }

4 1 383.51 as adopted by rule by the department.

4 2 Sec. 8. Section 321.253, Code 2007, is amended to read as  
4 3 follows:

4 4 321.253 DEPARTMENT TO ERECT SIGNS.

4 5 1. The department shall place and maintain such  
4 6 traffic-control devices, conforming to its manual and  
4 7 specifications, upon all primary highways as it ~~shall deem~~  
4 8 deems necessary to indicate and to carry out the provisions of  
4 9 this chapter or to regulate, warn, or guide traffic. Whenever  
4 10 practical, ~~said~~ the devices or signs shall be purchased from  
4 11 the director of the Iowa department of corrections.

4 12 2. The department shall post signs informing motorists of

4 13 the penalties for speeding in a road work zone and that the  
4 14 scheduled fine for committing a any other moving traffic  
4 15 violation in a road work zone is doubled.

4 16 Sec. 9. Section 321E.1, Code 2007, is amended to read as  
4 17 follows:

4 18 321E.1 PERMITS BY DEPARTMENT AND LOCAL AUTHORITIES.

4 19 1. The department and local authorities may in their  
4 20 discretion and upon application and with good cause being  
4 21 shown issue permits for the movement of construction machinery  
4 22 or asphalt repavers being temporarily moved on streets, roads  
4 23 or highways and for vehicles with indivisible loads which  
4 24 exceed the maximum dimensions and weights specified in  
4 25 sections 321.452 ~~to~~ through 321.466, but not to exceed the  
4 26 limitations imposed in this section and sections 321E.1 to  
4 27 321E.2 through 321E.15 except as provided in section 321E.29.

4 28 2. Vehicles permitted to transport indivisible loads may  
4 29 ~~exceed do any of the following:~~

4 30 a. ~~Exceed~~ the width and length limitations specified in  
4 31 sections 321.454 and 321.457 for the purpose of picking up an  
4 32 indivisible load or returning from delivery of the indivisible  
4 33 load.

4 34 b. Move indivisible special mobile equipment which does  
4 35 not otherwise exceed the maximum dimensions and weights

5 1 specified in sections 321.452 through 321.466 if the vehicle  
5 2 has an overall width not to exceed nine feet and all other  
5 3 conditions of the vehicle's permit are met.

5 4 3. Permits issued may be single-trip, multi-trip, or  
5 5 annual permits. Permits shall be in writing and shall be  
5 6 carried in the cab of the vehicle for which the permit has  
5 7 been issued and shall be available for inspection at all  
5 8 times. The vehicle and load for which the permit has been  
5 9 issued shall be open to inspection by a peace officer or an  
5 10 authorized agent of a permit granting authority.

5 11 4. When in the judgment of the issuing authority in cities  
5 12 and counties the movement of a vehicle with an indivisible  
5 13 load or construction machinery which exceeds the maximum  
5 14 dimensions and weights will be unduly hazardous to public  
5 15 safety or will cause undue damage to streets, avenues,  
5 16 boulevards, thoroughfares, highways, curbs, sidewalks, trees,  
5 17 or other public or private property, the permit shall be  
5 18 denied and the reasons for denial endorsed on the application.  
5 19 Permits shall designate the days when and routes upon which  
5 20 loads and construction machinery may be moved within a county  
5 21 on other than primary roads.

5 22 5. Local authorities may allow persons requesting permits  
5 23 under this chapter to do so by means of a telephone or  
5 24 facsimile machine, authorizing payment for the permits to be  
5 25 made upon receipt of an invoice sent to the persons by the  
5 26 local authorities.

5 27 Sec. 10. Section 321E.7, subsection 4, Code Supplement  
5 28 2007, is amended to read as follows:

5 29 4. Notwithstanding subsections 1 and 2, a self-propelled  
5 30 implement of husbandry traveling under a permit issued  
5 31 pursuant to section 321E.8A may exceed the maximum axle loads  
5 32 prescribed under section 321.463 only when operated on a  
5 33 noninterstate highway in a county covered under the permit,  
5 34 provided the weight on any one axle does not exceed  
5 35 twenty-five thousand pounds, and provided the current and  
6 1 valid permit is carried in the vehicle. ~~For purposes of this~~  
6 2 ~~subsection, "noninterstate highway" does not include a bridge.~~  
6 3 ~~However, a vehicle traveling under a permit issued pursuant to~~  
6 4 ~~section 321E.8A is not exempt from posted weight limitations~~  
6 5 ~~on bridges.~~

6 6 Sec. 11. Section 321E.8, Code 2007, is amended by adding  
6 7 the following new subsection:

6 8 NEW SUBSECTION. 3. Notwithstanding any other provision of  
6 9 law to the contrary, cranes exceeding the maximum gross weight  
6 10 on any axle as prescribed in section 321.463 and used in the  
6 11 construction of alternative energy facilities may be moved  
6 12 with approval from the permit issuing authority.

6 13 Sec. 12. Section 321E.8A, subsection 1, Code Supplement  
6 14 2007, is amended to read as follows:

6 15 1. A self-propelled implement of husbandry equipped with  
6 16 flotation tires that is designed to be loaded and operated in  
6 17 the field and used exclusively for the application of organic  
6 18 or inorganic plant food materials, agricultural limestone, or  
6 19 agricultural chemicals, and that, as newly manufactured,  
6 20 exceeds the axle weight limits under section 321.463 when  
6 21 unloaded, may be operated on noninterstate highways, ~~excluding~~  
6 22 ~~bridges~~, in a county pursuant to a permit issued by the  
6 23 department for travel within the county, provided the vehicle

6 24 does not violate posted weight limitations on bridges. Prior  
6 25 to issuing a permit, the department shall collect a fee of six  
6 26 hundred dollars for each county in which the vehicle will be  
6 27 operated during the period of the permit beginning July 1 and  
6 28 ending June 30, provided that a permit shall not be issued for  
6 29 a vehicle for operation in more than ten counties and the  
6 30 total amount of fees collected for a vehicle for the period of  
6 31 the permit shall not exceed three thousand five hundred  
6 32 dollars. Moneys collected by the department on behalf of the  
6 33 counties in which the vehicle will be operated shall be  
6 34 allotted equally to those counties and deposited in the  
6 35 secondary road funds of those counties. A vehicle for which a  
7 1 permit is issued under this section shall be assigned a permit  
7 2 number that shall be displayed on the door of the vehicle in  
7 3 numbers that contrast sharply in color with the background on  
7 4 which the number is placed, be readily legible during daylight  
7 5 hours from a distance of fifty feet when the vehicle is  
7 6 stationary, and be maintained in a manner that retains the  
7 7 legibility. Only vehicles originally purchased or ordered  
7 8 prior to February 1, 2007, are eligible for a permit. New  
7 9 permits shall not be issued on or after July 1, 2007; however,  
7 10 a permit issued for a vehicle under this section prior to July  
7 11 1, 2007, may be renewed for that vehicle annually upon payment  
7 12 of the appropriate county fees.

7 13 Sec. 13. Section 321E.9, subsection 3, Code 2007, is  
7 14 amended to read as follows:

7 15 3. Cranes ~~exceeding the maximum gross weight on any axle~~  
7 16 ~~as prescribed in section 321.463~~, but not exceeding  
7 17 ~~twenty-four thousand pounds~~, may be moved in accordance with  
7 18 rules adopted pursuant to chapter 17A. Notwithstanding any  
7 19 other provision of law to the contrary, cranes exceeding the  
7 20 maximum gross weight on any axle as prescribed in section  
7 21 321.463 and used in the construction of alternative energy  
7 22 facilities may be moved with approval from the permit issuing  
7 23 authority.

7 24 Sec. 14. NEW SECTION. 321E.9B SPECIAL ALTERNATIVE ENERGY  
7 25 MULTITRIP PERMIT.

7 26 Subject to the discretion and judgment provided for in  
7 27 section 321E.1, a multitrip permit shall be issued for  
7 28 operation of vehicles in accordance with the following  
7 29 provisions:

7 30 1. Vehicles with an indivisible load having an overall  
7 31 length not to exceed two hundred twenty-five feet, an overall  
7 32 width not to exceed sixteen feet, a height not to exceed  
7 33 sixteen feet, and a total gross weight not to exceed two  
7 34 hundred fifty-six thousand pounds may be moved on highways  
7 35 specified by the permitting authority to an alternative energy  
8 1 construction site or staging area for alternative energy  
8 2 transportation, provided the gross weight on any one axle  
8 3 shall not exceed twenty thousand pounds.

8 4 2. The special alternative energy multitrip permit shall  
8 5 not exceed twelve months in duration.

8 6 3. The permitting authority shall have discretion to  
8 7 include restrictions and require special considerations, such  
8 8 as responsibility for protection or repair of the roadway and  
8 9 bridges, prior to issuance of the permit.

8 10 Sec. 15. Section 321E.14, unnumbered paragraph 1, Code  
8 11 2007, is amended to read as follows:

8 12 The department or local authorities issuing permits shall  
8 13 charge a fee of twenty-five dollars for an annual permit  
8 14 issued under section 321E.8, subsection 1, a fee of three  
8 15 hundred dollars for an annual permit issued under section  
8 16 321E.8, subsection 2, a fee of two hundred dollars for a  
8 17 ~~multi-trip multitrip permit issued under section 321E.9A, a~~  
8 18 ~~fee of six hundred dollars for a special alternative energy~~  
8 19 ~~multitrip permit issued under section 321E.9B,~~ and a fee of

8 20 ten dollars for a single-trip permit, and shall determine  
8 21 charges for special permits issued pursuant to section 321E.29  
8 22 by rules adopted pursuant to chapter 17A. Fees for the  
8 23 movement of buildings, parts of buildings, or unusual vehicles  
8 24 or loads may be increased to cover the costs of inspections by  
8 25 the issuing authority. A fee not to exceed two hundred fifty  
8 26 dollars per day or a prorated fraction of that fee per person  
8 27 and car for escort service may be charged when requested or  
8 28 when required under this chapter. Proration of escort fees  
8 29 between state and local authorities when more than one  
8 30 governmental authority provides or is required to provide  
8 31 escort for a movement during the period of a day shall be  
8 32 determined by rule under section 321E.15. The department and  
8 33 local authorities may charge a permit applicant for the cost  
8 34 of trimming trees and removal and replacement of natural

8 35 obstructions or official signs and signals or other public or  
9 1 private property required to be removed during the movement of  
9 2 a vehicle and load. In addition to the fees provided in this  
9 3 section, the annual fee for a permit for special mobile  
9 4 equipment, as defined in section 321.1, subsection 75,  
9 5 operated pursuant to section 321E.7, subsection 3, with a  
9 6 combined gross weight up to and including eighty thousand  
9 7 pounds shall be twenty-five dollars and for a combined gross  
9 8 weight exceeding eighty thousand pounds, fifty dollars.

9 9 Sec. 16. Section 321J.22, subsections 2, 4, and 5, Code  
9 10 2007, are amended to read as follows:

9 11 2. a. The course provided according to this section shall  
9 12 be offered on a regular basis at each community college as  
9 13 defined in section 260C.2, or by substance abuse treatment  
9 14 programs licensed under chapter 125, or may be offered at a  
9 15 state correctional facility. However, a community college  
9 16 shall not be required to offer the course if a substance abuse  
9 17 treatment program licensed under chapter 125 offers the course  
9 18 within the merged area served by the community college.

9 19 b. Enrollment in the courses is not limited to persons  
9 20 ordered to enroll, attend, and successfully complete the  
9 21 course required under sections 321J.2 and 321J.17, subsection  
9 22 2. ~~However, any person under age eighteen who is required to~~  
~~9 23 attend the courses for violation of section 321J.2 or 321J.17~~  
~~9 24 must attend a course offered by a substance abuse treatment~~  
~~9 25 program licensed under chapter 125.~~

9 26 c. The course required by this section shall be:

9 27 (1) Taught by a community college under the supervision of  
9 28 the department of education or by a substance abuse treatment  
9 29 program licensed under chapter 125, and may be offered at a  
9 30 state correctional facility.

9 31 (2) Approved by the department of education, in  
9 32 consultation with the community colleges and substance abuse  
9 33 treatment programs licensed under chapter 125.

9 34 d. The department of education shall establish reasonable  
9 35 fees to defray the expense of obtaining classroom space,  
10 1 instructor salaries, and class materials for courses offered  
10 2 both by community colleges and by substance abuse treatment  
10 3 programs licensed under chapter 125, or for classes offered at  
10 4 a state correctional facility, and for administrative expenses  
10 5 incurred by the department of education in implementing  
10 6 subsection 5 on behalf of in-state and out-of-state offenders.

10 7 e. A person shall not be denied enrollment in a course by  
10 8 reason of the person's indigency.

10 9 4. The department of education, ~~and~~ substance abuse  
10 10 treatment programs licensed under chapter 125, and state  
10 11 correctional facilities shall prepare for their respective  
10 12 courses a list of the locations of the courses taught under  
10 13 this section, the dates and times taught, the procedure for  
10 14 enrollment, and the schedule of course fees. The list shall  
10 15 be kept current and a copy of the list shall be sent to each  
10 16 court having jurisdiction over offenses provided in this  
10 17 chapter.

10 18 5. The department of education, ~~and~~ substance abuse  
10 19 treatment programs licensed under chapter 125, and state  
10 20 correctional facilities shall maintain enrollment, attendance,  
10 21 successful and nonsuccessful completion data for their  
10 22 respective courses on the persons ordered to enroll, attend,  
10 23 and successfully complete a course for drinking drivers. This  
10 24 data shall be forwarded to the court by ~~both~~ the department of  
10 25 education, ~~and~~ substance abuse treatment programs licensed  
10 26 under chapter 125, and the department of corrections.

10 27 Sec. 17. Section 321L.2, Code 2007, is amended by adding  
10 28 the following new subsection:

10 29 NEW SUBSECTION. 5. A seriously disabled veteran who has  
10 30 been provided with an automobile or other vehicle by the  
10 31 United States government under the provisions of 38 U.S.C. }  
10 32 1901 et seq. (1970) is not required to apply for a  
10 33 disabilities parking permit under this section unless the  
10 34 veteran has been issued special registration plates or  
10 35 personalized plates for the vehicle. The regular registration  
11 1 plates issued for the disabled veteran's vehicle without fee  
11 2 pursuant to section 321.105 entitle the disabled veteran to  
11 3 all of the rights and privileges associated with persons with  
11 4 disabilities parking permits under this chapter.

11 5 Sec. 18. Section 322.7A, subsection 2, Code Supplement  
11 6 2007, is amended to read as follows:

11 7 2. A person seeking renewal of a used motor vehicle dealer  
11 8 license shall complete a minimum of five hours of continuing  
11 9 education program courses over a two-year period pursuant to  
11 10 this section prior to submitting an application for license

11 11 renewal. However, an applicant for renewal of a used motor  
11 12 vehicle dealer license who has met the prelicensing education  
11 13 requirement under subsection 1 within the preceding ~~twelve~~  
11 14 twenty=four months is exempt from the continuing education  
11 15 requirement for license renewal.

11 16 Sec. 19. Section 331.382, subsection 8, unnumbered  
11 17 paragraph 2, Code 2007, is amended to read as follows:  
11 18 However, the board may assume and exercise the powers and  
11 19 duties of a governing body under chapter 357, 357A, 357B, 358  
11 20 or chapter 468, subchapter III, if a governing body  
11 21 established under one of those chapters has insufficient  
11 22 membership to perform its powers and duties, and the board,  
11 23 upon petition of the number of property owners within a  
11 24 proposed district and filing of a bond as provided in section  
11 25 357A.2, may establish a service district within the  
11 26 unincorporated area of the county and exercise within the  
11 27 district the powers and duties granted in chapter 357, 357A,  
11 28 357B, 357C, 357I, 358, 359, 384, division IV, or chapter 468,  
11 29 subchapter III.

11 30 Sec. 20. Section 331.429, subsection 1, paragraphs a and  
11 31 b, Code 2007, are amended to read as follows:

11 32 a. Transfers from the general fund not to exceed in any  
11 33 year the dollar equivalent of a tax of sixteen and  
11 34 seven=eighths cents per thousand dollars of assessed value on  
11 35 all taxable property in the county multiplied by the ratio of  
12 1 current taxes actually collected and apportioned for the  
12 2 general basic levy to the total general basic levy for the  
12 3 current year, and an amount equivalent to the moneys derived  
12 4 by the general fund from military service tax credits under  
12 5 chapter 426A, manufactured or mobile home taxes under section  
12 6 435.22, and delinquent taxes for prior years collected and  
12 7 apportioned to the general basic fund in the current year,  
12 8 multiplied by the ratio of sixteen and seven=eighths cents to  
12 9 three dollars and fifty cents. The limit on transfers in this  
12 10 paragraph applies only to property tax revenue and is not a  
12 11 limit on transfers of revenue generated from sources other  
12 12 than property taxes.

12 13 b. Transfers from the rural services fund not to exceed in  
12 14 any year the dollar equivalent of a tax of three dollars and  
12 15 three=eighths cents per thousand dollars of assessed value on  
12 16 all taxable property not located within the corporate limits  
12 17 of a city in the county multiplied by the ratio of current  
12 18 taxes actually collected and apportioned for the rural  
12 19 services basic levy to the total rural services basic levy for  
12 20 the current year and an amount equivalent to the moneys  
12 21 derived by the rural services fund from military service tax  
12 22 credits under chapter 426A, manufactured or mobile home taxes  
12 23 under section 435.22, and delinquent taxes for prior years  
12 24 collected and apportioned to the rural services basic fund in  
12 25 the current year, multiplied by the ratio of three dollars and  
12 26 three=eighths cents to three dollars and ninety=five cents.  
12 27 The limit on transfers in this paragraph applies only to  
12 28 property tax revenue and is not a limit on transfers of  
12 29 revenue generated from sources other than property taxes.

12 30 Sec. 21. NEW SECTION. 357I.1 DEFINITIONS.

12 31 As used in this chapter, unless the context otherwise  
12 32 requires:

12 33 1. "Board" means the board of supervisors of a county.

12 34 2. "Book", "list", "record", or "schedule" kept by a  
12 35 county auditor, assessor, treasurer, recorder, sheriff, or  
13 1 other county officer means the county system as defined in  
13 2 section 445.1.

13 3 3. "District" means a benefited secondary road services  
13 4 district.

13 5 4. "Trustee" means a trustee of a district.

13 6 Sec. 22. NEW SECTION. 357I.2 PETITION FOR PUBLIC  
13 7 HEARING.

13 8 1. The board shall, on the petition of twenty=five percent  
13 9 of the resident property owners in a proposed district if the  
13 10 assessed valuation of the property owned by the petitioners  
13 11 represents at least twenty=five percent of the total assessed  
13 12 value of the proposed district, hold a public hearing  
13 13 concerning the establishment of a proposed district. The  
13 14 petition shall include a statement containing the following  
13 15 information:

13 16 a. The need for secondary road services.

13 17 b. The district to be served.

13 18 c. The approximate number of families in the district.

13 19 d. A general description of the secondary road services to  
13 20 be provided in the district by the county.

13 21 2. The board may require a bond of the petitioners

13 22 conditioned for the payment of all costs and expenses incurred  
13 23 in the proceedings in case the district is not established.  
13 24 3. If part or all of the proposed district lies within two  
13 25 miles of the boundaries of a city, the board shall send a copy  
13 26 of the petition to each such city before scheduling the public  
13 27 hearing on the petition. A city that receives a copy of the  
13 28 petition may require that any road or street improvements and  
13 29 associated drainage improvements constructed within the  
13 30 district after establishment of the district be constructed in  
13 31 compliance with requirements for such improvements then in  
13 32 effect within the city. The city shall notify the board of  
13 33 the city's response to the petition within thirty days of  
13 34 receiving the petition. If the city wants requirements for  
13 35 road or street improvements and associated drainage  
14 1 improvements then in effect within the city to apply within  
14 2 the district, the requirements shall be included in the  
14 3 resolution of the board establishing the district and shall be  
14 4 incorporated into the plans and specifications for the  
14 5 improvements prepared by the district engineer or county  
14 6 engineer. The plans and specifications shall be subject to  
14 7 approval by the board and by the city council of each affected  
14 8 city, which approval must occur before commencement of  
14 9 construction.

14 10 Sec. 23. NEW SECTION. 357I.3 LIMITATION ON AREA AND  
14 11 PROPERTY COMPRISING DISTRICT.

14 12 1. A district is limited to property within a residential  
14 13 subdivision that was in existence prior to January 1, 2007,  
14 14 and that has received county road services pursuant to an  
14 15 agreement between the county and residents of the subdivision  
14 16 prior to July 1, 2008.

14 17 2. Subject to the limitations in subsection 1, a district  
14 18 may include all or parts of the unincorporated areas of one  
14 19 township and any unincorporated areas of adjoining townships  
14 20 or parts of adjoining townships.

14 21 Sec. 24. NEW SECTION. 357I.4 TIME OF HEARING.

14 22 The public hearing required in section 357I.2 shall be held  
14 23 within thirty days of the presentation of the petition.

14 24 Notice of hearing shall be given by publication in two  
14 25 successive issues of any newspaper of general circulation  
14 26 within the district. The last publication shall be not less  
14 27 than one week before the proposed hearing.

14 28 Sec. 25. NEW SECTION. 357I.5 ACTION BY BOARD.

14 29 After, and within ten days of, the hearing, the board shall  
14 30 either establish the district by resolution or disallow the  
14 31 petition.

14 32 Sec. 26. NEW SECTION. 357I.6 ENGINEER.

14 33 1. When the board establishes a district, the board shall  
14 34 appoint a competent disinterested civil engineer, who shall  
14 35 prepare a preliminary plat showing:

15 1 a. The proper design in general outline of the district.

15 2 b. The lots and parcels of land within the proposed  
15 3 district as they appear on the county auditor's plat books  
15 4 with the names of the owners.

15 5 c. The assessed valuation of the lots and parcels.

15 6 2. The compensation of the engineer on the preliminary  
15 7 investigation shall be determined by the board. The engineer  
15 8 shall file a report with the county auditor within thirty days  
15 9 of appointment. The board may extend the time upon good cause  
15 10 shown.

15 11 Sec. 27. NEW SECTION. 357I.7 HEARING ON ENGINEER'S  
15 12 REPORT.

15 13 After the engineer's report is filed, the board shall give  
15 14 notice, as provided in section 357I.4, of a public hearing to  
15 15 be held concerning the engineer's preliminary plat.

15 16 Sec. 28. NEW SECTION. 357I.8 ELECTION ON PROPOSED LEVY  
15 17 AND CANDIDATES FOR TRUSTEES.

15 18 When a preliminary plat has been approved by the board, an  
15 19 election shall be held within the district within sixty days  
15 20 to approve or disapprove the levy of a tax not to exceed in  
15 21 any fiscal year one dollar per thousand dollars of assessed  
15 22 value on all the taxable property within the district and to  
15 23 choose candidates for the offices of trustees of the district.

15 24 Notice of the election, including the time and place of  
15 25 holding the election, shall be given as provided in section  
15 26 357I.4. The vote shall be by ballot which shall state clearly  
15 27 the proposition to be voted upon and any registered voter  
15 28 residing within the district at the time of the election may  
15 29 vote. It is not mandatory for the county commissioner of  
15 30 elections to conduct elections held pursuant to this chapter,  
15 31 but the elections shall be conducted in accordance with  
15 32 chapter 49 where not in conflict with this chapter. Judges

15 33 shall be appointed to serve without pay by the board from  
15 34 among the registered voters of the district to be in charge of  
15 35 the election. The proposition is approved if sixty percent of  
16 1 those voting on the proposition vote in favor of it.

16 2 Sec. 29. NEW SECTION. 357I.9 TRUSTEES == TERM AND  
16 3 QUALIFICATION.

16 4 At the election, the names of up to three candidates for  
16 5 trustee shall be written in by the voters on blank ballots  
16 6 without formal nomination and the board shall appoint three  
16 7 from among the five receiving the highest number of votes as  
16 8 trustees for the district. One trustee shall be appointed to  
16 9 serve for one year, one for two years, and one for three  
16 10 years. The trustees and their successors must be residents of  
16 11 the district and shall give bond in the amount required by the  
16 12 board, the premium of which shall be paid by the district.  
16 13 Vacancies shall be filled by election, but if there are no  
16 14 candidates for a trustee office, the vacancy may be filled by  
16 15 appointment by the board. The term of succeeding trustees  
16 16 shall be three years.

16 17 Sec. 30. NEW SECTION. 357I.10 TRUSTEES' POWERS.

16 18 The trustees may contract only with the county to provide  
16 19 road services including road paving, reconstruction, or  
16 20 maintenance, according to the county's standards for such  
16 21 services, on roads within the district, and on any road  
16 22 outside the district that provides a direct route between the  
16 23 subdivision comprising the district and the nearest paved  
16 24 street or highway, and may certify for levy an annual tax as  
16 25 provided in section 357I.8. The trustees may purchase  
16 26 materials incidental to the administrative functions of the  
16 27 trustees and perform all other acts necessary to properly  
16 28 maintain and operate the district. The trustees are allowed  
16 29 necessary expenses in the discharge of their duties, but they  
16 30 shall not receive a salary.

16 31 Sec. 31. NEW SECTION. 357I.10A REVENUES EXCLUDED FROM  
16 32 COUNTY GENERAL FUND TRANSFERS.

16 33 The amount of revenue collected from the tax levied  
16 34 pursuant to section 357I.8 shall not be included in the  
16 35 calculation of property tax revenues transferred to the  
17 1 secondary road fund annually under section 331.429.

17 2 Sec. 32. NEW SECTION. 357I.11 BONDS IN ANTICIPATION OF  
17 3 REVENUE.

17 4 A district may anticipate the collection of taxes by the  
17 5 levy authorized in this chapter, and to carry out the purposes  
17 6 of this chapter may issue bonds payable in not more than ten  
17 7 equal installments with the rate of interest not exceeding  
17 8 that permitted by chapter 74A. An indebtedness shall not be  
17 9 incurred under this chapter until authorized by an election.  
17 10 The election shall be held and notice given in the same manner  
17 11 as provided in section 357I.8, and the same sixty percent vote  
17 12 shall be necessary to authorize indebtedness. Both  
17 13 propositions may be submitted to the voters at the same  
17 14 election.

17 15 Sec. 33. NEW SECTION. 357I.12 DISSOLUTION OF DISTRICT.

17 16 Upon petition of thirty-five percent of the resident  
17 17 eligible electors, the board may dissolve a district and  
17 18 dispose of any remaining property, the proceeds of which shall  
17 19 first be applied against outstanding obligations and any  
17 20 balance shall be applied to tax credit of property owners of  
17 21 the district. However, if the district is annexed, the board  
17 22 of supervisors may transfer the remaining property and balance  
17 23 to the city which annexed the territory. The board shall  
17 24 continue to levy a tax after dissolution of a district, of not  
17 25 to exceed twenty-seven cents per thousand dollars of assessed  
17 26 value on all the taxable property of the district, until all  
17 27 outstanding obligations of the district are paid.

17 28 Sec. 34. NEW SECTION. 357I.13 INCORPORATION OF DISTRICT  
17 29 LAND.

17 30 If part of a district is incorporated by a city and there  
17 31 are outstanding indebtedness obligations against the district,  
17 32 the city shall pay the outstanding obligations against the  
17 33 part of the district which is incorporated by the city.

17 34 Sec. 35. Section 321.115, subsection 1, as enacted in 2007  
17 35 Iowa Acts, chapter 143, section 12, is amended to read as  
18 1 follows:

18 2 1. a. A motor vehicle twenty-five years old or older may  
18 3 be registered as an antique vehicle ~~upon payment of.~~ The  
18 4 annual registration fee is the fee provided for in section  
18 5 321.113, 321.122, or 321.124.

18 6 b. The owner of a motor truck, truck tractor, road  
18 7 tractor, or motor home that is twenty-five years old or older  
18 8 who desires to use the vehicle exclusively for exhibition or

18 9 educational purposes at state or county fairs, or at other  
18 10 places where the vehicle may be exhibited for entertainment or  
18 11 educational purposes, may register the vehicle as a "limited  
18 12 use" vehicle in accordance with sections 321.58 through  
18 13 321.62. The "limited use" registration under this paragraph  
18 14 permits driving of the vehicle upon the public roads to and  
18 15 from state and county fairs or other places of entertainment  
18 16 or education for exhibition or educational purposes and to and  
18 17 from service stations for the purpose of receiving necessary  
18 18 maintenance, or for the purposes of transporting, testing,  
18 19 demonstrating, or selling the vehicle.

18 20 c. The owner of a motor vehicle registered under this  
18 21 subsection may display authentic Iowa registration plates from  
18 22 the model year of the motor vehicle, furnished by the person  
18 23 and approved by the department, in lieu of the current and  
18 24 valid Iowa registration plates issued for the vehicle,  
18 25 provided that the current and valid Iowa registration plates  
18 26 and the registration card issued for the vehicle are  
18 27 simultaneously carried within the vehicle and are available  
18 28 for inspection to any peace officer upon the officer's  
18 29 request.

18 30 Sec. 36. Section 805.8A, subsection 14, paragraph i, Code  
18 31 2007, is amended to read as follows:

18 32 i. ROAD WORK ZONE VIOLATIONS. The scheduled fine for any  
18 33 moving traffic violation under chapter 321, as provided in  
18 34 this section, shall be doubled if the violation occurs within  
18 35 any road work zone, as defined in section 321.1. However,  
19 1 notwithstanding subsection 5, the scheduled fine for violating  
19 2 the speed limit in a road work zone is as follows:

19 3 (1) One hundred fifty dollars for speed not more than ten  
19 4 miles per hour over the posted speed limit.

19 5 (2) Three hundred dollars for speed greater than ten but  
19 6 not more than twenty miles per hour over the posted speed  
19 7 limit.

19 8 (3) Five hundred dollars for speed greater than twenty but  
19 9 not more than twenty-five miles per hour over the posted speed  
19 10 limit.

19 11 (4) One thousand dollars for speed greater than  
19 12 twenty-five miles per hour over the posted speed limit.

19 13 Sec. 37. 2007 Iowa Acts, chapter 143, section 35,  
19 14 subsection 4, is amended to read as follows:

19 15 4. The sections of this Act amending sections 321.112 and  
19 16 321.115 take effect ~~July 1, 2008~~ January 1, 2009.

19 17 Sec. 38. 2007 Iowa Acts, chapter 167, is repealed.

19 18 Sec. 39. COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK  
19 19 FUND BONDS == DEFEASANCE. The Iowa comprehensive petroleum  
19 20 underground storage tank fund board shall authorize the Iowa  
19 21 finance authority to defease all bonds issued pursuant to  
19 22 chapter 455G prior to June 30, 2008. The authority shall  
19 23 defease the bonds by June 30, 2008, from funds available in  
19 24 the Iowa comprehensive petroleum underground storage tank  
19 25 fund.

19 26 Sec. 40. TEMPORARY HIGHWAY CLOSURES. Upon application by  
19 27 a city located along state highway 175 for a temporary closure  
19 28 of a portion of the highway to accommodate a scheduled  
19 29 community event, the department of transportation shall  
19 30 approve the closure for the amount of time needed for the  
19 31 community event, not to exceed a single period of no more than  
19 32 twenty-four hours.

19 33 Sec. 41. EFFECTIVE DATE. The sections of this Act  
19 34 amending sections 321E.8, 321E.9, 321E.14, and 322.7A, the  
19 35 section enacting section 321E.9B, and the section repealing  
20 1 2007 Iowa Acts, chapter 167, being deemed of immediate  
20 2 importance, take effect upon enactment.

20 3 Sec. 42. CONTINGENT EFFECTIVENESS. The section of this  
20 4 Act relating to the defeasance of petroleum underground  
20 5 storage tank fund bonds takes effect only upon enactment of  
20 6 legislation striking section 423.43, subsection 1, paragraph  
20 7 "a", Code Supplement 2007, by the Eighty-second General  
20 8 Assembly.

20 9 HF 2651  
20 10 dea/jg/25